

MR KENTRELL D. WELCH

Name

ESP P.O. Box 1989Ely, NV, 893011030777

Prison Number

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MR. Kentrell D. WELCH,
Plaintiff

vs.

SRC/Orowley, CORY et ALSee ADDITIONAL Lists - names

_____,

_____,

_____,

Defendant(s).

Case No. _____
(Supplied by Clerk of Court)CIVIL RIGHTS COMPLAINT
PURSUANT TO
42 U.S.C. § 1983

- (1) N.R.C.P 38(a)(b)
-
- (2) 28 U.S.C. 7th Amendments
-
- (* 27 pgs)

A. JURISDICTION

- 1) This complaint alleges that the civil rights of Plaintiff,
- Kentrell D. WELCH
- ,
-
- (print plaintiff's name)

who presently resides at Ely State Prison, were violated by

the actions of the below-named individuals that were directed against Plaintiff at

ESP / Whitepine County on the following dates:
(institution/city where violation occurred)2022-2021, 2020, and _____
(Claim 1) (Claim 2) (Claim 3)Dated this 12th day of Dec 2022

1 Custody Supervisors: ^①L.T. Ridgney, ^②Curtis, ^③Sgt Stolk,
 2 ^④L.T. Matthew Roman, ^⑤SIR/LO Corey Rowley, ^⑥SIR/LO Rengali,
 3 C.E.R.T. C/Os: ^⑦Madeline Pickens, ^⑧Macelean Kleer, ^⑨Chief
 4 Ridgney. "In Their" Individual Capacities are charged,
 5 with responsibility for the : Care, Custody, Control of Units,
 6 at esp; under their superior's of Espothicials, Ndoc Needs.

7 •
 8 Case Workers: ^①CCS III P Hernandez, ^②CCS II Melina Castro,
 9 ^③CCS I Ray Rivera, and In That Individual Capacity. Are,
 10 charged with responsibility for : Care, Custody, Control;
 11 of Control units, and All similarly housed inmates at,
 12 Esp Throughout.

13 •
 14 Kristina Hyman psych III, (M/H), "Mental health,
 15 employed Nurse In That Capacity. Is responsible for,
 16 the ensurance of : adequate Mental health : Counseling,
 17 Care, Check ups, deposition of (S.M.I), Severally Ment.,
 18 fully ill patients and That "Their Not Ad-seg housed etc.

21 I. FACTS & CLAIMS:

23 Intentionally Left BLANK

27 Cont →

Make a copy of this page to provide the below information if you are naming more than five (5) defendants

- 2) Defendant Sgt Cory Rowley resides at 12000 N. Botwinick Rd, El, NV, 89301
 (full name of first defendant) (address of first defendant)
 and is employed as Senior CORR. Officer This defendant is sued in his/her
 (defendant's position and title, if any)
☒ individual ☐ official capacity. (Check one or both). Explain how this defendant was acting
 under color of law: denied equal rights/immunities
- 3) Defendant MacLean Klier resides at 12000 N. Botwinick Rd, El, NV, 89301
 (full name of first defendant) (address of first defendant)
 and is employed as C.E.R.T Officer This defendant is sued in his/her
 (defendant's position and title, if any)
☒ individual ☐ official capacity. (Check one or both). Explain how this defendant was acting
 under color of law: Threatened to harm, causation of grievances, civil litigation
- 4) Defendant c/o Milkhe resides at 12000 N. Botwinick Rd, El, NV, 89301
 (full name of first defendant) (address of first defendant)
 and is employed as CORR. Officer This defendant is sued in his/her
 (defendant's position and title, if any)
☒ individual ☐ official capacity. (Check one or both). Explain how this defendant was acting
 under color of law: Threatened to harm, causation of grievances, civil litigation
- 5) Defendant CCS III P. Hernandez resides at 12000 N. Botwinick Rd, El, NV, 89301
 (full name of first defendant) (address of first defendant)
 and is employed as Chief CCS Superv. Officer This defendant is sued in his/her
 (defendant's position and title, if any)
☒ individual ☐ official capacity. (Check one or both). Explain how this defendant was acting
 under color of law: deprived equal rights/immunities, dept. systematic retaliatory nefarious scheme etc.

(Defendant(s)) Cont. pg

- 1
- 2 SRC/O Kengali - Individual Capacity
- 3 C.E.R.T. mudlinepickens - Individual Capacity
- 4 T.N.p J - Hicks - Individual Capacity
- 5 L.T. Matthew Roman - Individual Capacity
- 6 CCSI Melina Castro - Individual Capacity
- 7 CCSI Ray Rivera - Individual Capacity
- 8 psych III Kristina Hyman - Individual Capacity
- 9 Sgt STOLK - Individual Capacity
- 10 L.T. Curtis Ridgney - Individual Capacity
- 11 C.E.R.T. chet Ridgney - Individual Capacity
- 12 A.W.p. Tashreena Sanduol Cooke - Individual C.
- 13 A.W.O. David Drummond - Individual Capacity
- 14 Ndoc. Dep. Dir. William Gittere - Individual Capacity
- 15 Ndoc. Dir. of Ops Charles Daniels Individual Capacity
- 16 c/o Amber Bodenhymer - Individual Capacity
- 17 L.T. Robert Houston - Individual Capacity
- 18 Sgt Moskoff - Individual Capacity
- 19 c/o Joshua PARR - Individual Capacity
- 20 SRC/O Esquivel - Individual Capacity
- 21 griev. coord. K. Baltierra - Individual Capacity
- 22 A.A. III Sue Chilsen - Individual Capacity
- 23 John - June doe(s) - Individual Capacities.
- 24
- 25
- 26
- 27
- 28

CLAIM ONE

1. State the constitutional or other federal civil right that was violated: NEVADA, FEDERAL, 1st 5th 8th 9th 10th 14th Amendments.

2. **Claim 2.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

☐ Basic necessities

☐ Medical care

☐ Mail

☐ Disciplinary proceedings

☐ Exercise of religion

☐ Property

☐ Access to the court

☐ Excessive force by officer

☒ Retaliation

☐ Threat to safety

☐ Other:

CAMPaign OF Harassment,
dept. PERVasive Retaliation

3. **Date(s) or date range** of when the violation occurred: 2022-2021-2020

4. **Supporting Facts:** State as briefly as possible the FACTS supporting Claim 2. Describe exactly what **each specific defendant (by name)** did to violate your rights. State the facts clearly in your own words without citing legal authority or argument.

(1) ESP its officials, officers, case worker staff, contracted, med staff, agents for (2 yrs) and decades perpetuated, unwritten custom, policy to encourage intimidation, retaliation, invidious discrimination against plaintiff, in casual nexus to impede his civil litigation in violation, AR/ops NRS 209.385; 115.325; 28 U.S.C. 401 (1)

(2) Esp Jane, John Doe(s) for (decades) has perpetuated, an custom, policy to allow or encourage retaliation on him for his protected rights to seek redress per 1st Amendments, violating AR/OP 740.03, 9-A

(3) CCS Melina Castro In June 2022 punitively retaliated upon him for his legal assistance to Virginia Compact inmate W, Reed. Castro punitively moved him from unit 1B #3 to 2B20, for assisting Winston Reed with grievances, civil litigation, in violation of AR/OP 339, 740.03.9-A; NRS 209.131

(4) CCS Castro knowingly moved him next door to one, of ESP notorious S.M.1 M/H LL unstable inmate Mark Stewart, This guy is excessively loud bangs day-night All day;

- 1 or night attempting to drive him Insane In,
 2 violation of AR/op 339, 310.7; NRS 284.387
 3 (4) CCS III P. Hernandez verbally omitted s he did,
 4 Initiate THE Punative wing move For Her Friend.
 5 by Condonation Hernandez tacitly violated AR/op,
 6 339, 740.08, #11, NRS 209.131; 284.387 JUNE 2022.
 7 (5) C/O MILKE did Threaten to physically Assault,
 8 him Causation of his Wdoc Grievances during;
 9 July 14-2022 OUTSIDE med-trip violating AR/op 740.
 10 03, 9-A; 740.08, #11; NRS 209.131 (18 U.S.C. 1512(a))
 11 (2)
 12 (6) C.E.R.T C/O Maclean Klee on July 14 2022,
 13 Threatened him with physical Assault Causation;
 14 of his dept Grievances violation of AR/op 740, 339,
 15 18 U.S.C. 1512(a)(2); NRS 289.060
 16 (7) T.N.P provider J. HICKS In JUNE-Aug 2022,
 17 Illicitly retaliated on him by discontinuing All;
 18 of his Chronic Care prescriptions. Also refusing to,
 19 Input Chronic Pre ordered, Approved Chronic Medical;
 20 transport for untreated Helicobacter Blood Infection,
 21 In violation of AR 310, 311, 600, 602, 614, 615;
 22 NRS 284.387; 209.371; 209.131
 23 (8) SR C/O Rowley on Aug 8th-2022 8 AM upon,
 24 Legal escort Threatened to physically assault him.
 25 Causation of dept Grievances, civil litigation In vio;
 26 lation of AR 740.03, 9-A; 740.08; NRS 289.060;
 27 (18 U.S.C. 1512(a)(2))
 28 (9) C.E.R.T C/O Madeline Pickens retaliated ;
 (11)

1 on him JUNE 22nd 2022 by destruction, rough-
2 shodding OVER his cell properly causation of his;
3 dept. and civil litigation violating AR 740, 339;
4 NRS 289.060; 209.241

5 (10) SRC/O Rengali In JUNE 22-2022 participated,
6 In retaliative cell destruction for his dept.,
7 grievances for protected conduct in violation,
8 OF AR/op 422, 740.03, 9-A; 740.08^{#11}; NRS 289.060

9 (11) C.E.R.T c/o Chet Ridgney JUNE 22, 2022,
10 participated in cell retaliation, destructive cell;
11 search. causation of his dept. grievances, civil,
12 litigation in violation AR 422; 740; NRS 289.060
13 (8-A) SR c/o Rowley fabricated an punitive,
14 disc. writ against plaintiff for his DOC 1564;
15 against him for threats and informal grievance.
16 A False MJ 28 retaliative disc. writ in full,
17 violation of AR/op 740.03, 9-A; 740.08, # 11;
18 NRS 289.060; 209.131; 119.325

19 (4-A) CCS III HERNANDEZ retaliates against him by,
20 failing to remove him from Torture of Excessive;
21 noise for OVER 90 dys from JUNE - SEPT-2022. This does,
22 violates AR 740, 310, 311, 339, 643; NRS 209.131
23 (12) CCS Ray Riveria intentionally fabricate his,
24 (RFS) Score From 12-13 without penological justification,
25 its causation of his preA and other dept. claims,
26 against Riveria in violation of AR/op 740, 339;
27 NRS 284.387; 209.131

28 (12(A)) CCS Riveria Also for OVER 90 dys from ;
(12)

1 JUNE 29 2022-SEPT-2022 FAILS TO REMOVE him;
2 FROM EXCESSIVE S.M.1 NOISE VIOLATION OF AR 339, 643,
3 NRS 284.387; 209.131

4 (8-(B)) SRC/O ROWLEY "STARVED" him FOR ONE WEEK^{*}

5 JUNE 2020 FOR HIS PROTECTED CONDUCT OF GRIEVANCES.

6 NO DEPT. ACTION WAS TAKEN FOR SEVERE ABUSE FOR,

7 CORPORAL PUNISHMENT IN VIOLATION OF AR/OP 740;

8 NRS 289.060; 209.371.)

9 (5-(A)) C/O MILKE AROUND OCT-NOV 2021 UNIT 735,

10 VERBALLY CALLED OVER HIS INTERCOM TELLING him;

11 TO MIND HIS FUCKING BUSINESS AND STOP LEGALLY ASSI,

12 STING SIMILARLY HOUSED INMATE CHARLES I KO #41335;

13 WITH HIS CIVIL LITIGATION IN VIOLATION OF AR 740, 339,

14 NRS 289.060

15 (5-(B)) C/O MILKE BEGIN TELLING MEXICAN, WHITE,

16 INMATES THAT PLAINTIFF WAS A RAT, SNITCH. THIS,

17 CAUSED HIM THREATS AND ADVERSE RETALIATION BY UNIT;

18 INMATES CAUSING him TO BE REMOVED FROM 735. 11-19-2021)

19 (13) SGT STOLIK CUSTODY SUPRV REFUSE TO DISMISS,

20 SRC/O ROWLEY'S PUNATIVE DISC-WRIT MJ 28. IN LIGHT,

22 OF VIDEO OF 8-8-2022 ORDEAL AND PAST RETALIATION;

23 BY SRC/O ROWLEY IN VIOLATION OF AR 740.03, 9-A; NRS -

24 289.060; 209.131

24 (14) KRISTINA HYMEN IN DEPT. PERVASIVE RETALIATION,

25 AS PSYCH III MENTAL HEALTH REFUSE TO REMOVE S.M. 1;

26 INMATE OR PLAINTIFF FROM 2320 IN VIOLATION OF,

27 AR 643, 339 FOR OVER 90 DYS JUNE-SEPT-2022;

28 NRS 209.371; 209.131

(13)

1 (12-(B)) CCS Riveria In retaliation begin Intercep-
2 ting his dept. Kites to his Superiors from June-
3 Sept-2022. Riveria to stop plaintiff from reporting,
4 to his Superiors In violation of AR 740, 332, 339,
5 NRS 284.387; 209.131

6 (11-(A)) Chet Ridgney In 2020-2022 Continually,
7 Retaliates upon plaintiff. Ridgney called him an,
8 'Illiterate Nigger' unit 7B In violation of AR 339,
9 NRS 284.060; 209.131

10 (5-(C)) C/O MILKHE participated In June 22-2022,
11 destructive cell search unit 1B3. In Retaliation,
12 causing (2x large Trash Bags) loss of Habrus corpus;
13 Civil litigation documents To be discarded In;
14 violation of AR/op 422, 339, 740; NRS 289.060
15 (15) L.T. Roman condoned This June 22-2022,
16 OVERLY EXCESSIVE cell destruction. In Light CCS III,
17 Hernandez visually verbally omitted It was overly;
18 zealous, beyond regulation violating AR 422, 740,
19 NRS 289.060

20 (15)(A) In Light Two unit Worker(s) Verbally and,
21 visually told him NO ONES cell In THE whole unit,
22 was destroyed As plaintiffs. WORKERS ROMAS 1B,
23 Simon 1B 14 June 22-2022 (28 U.S.C. 1746)

24 (8-(C)) SRC/O Rowley, C.E.R. T/O(s) Ridgney, Kleer,
25 davies; All participated In Retaliation cell search;
26 OF Aug 8th-2022. Removing his blanket and Also,
27 Throwing his Legal documents ALL OVER cell In viola-
28 tion OF AR 422, 740, 339; NRS 289.060

1 (8-(d)) All Custody suprv's STOLK JANE, JAHN DOE(S),
2 MADE him do NAKED strip search by THREATS,
3 Although NO provocation or exigent CIRCUMSTANCES;
4 existed in violation of AR 492, 339; NRS 209.131.

5 (16) LEGAL CLAIMS :

6 CCS CASTRO acting under color of Law Inculpable,
7 mindstate with Invidious, Evil, Malicious Intent,
8 to Retaliate depriving him of his Nevada and Federal;
9 1st, 5th 8th 9th 10th Amendments.

10 (17) CCS III Hernandez acting under color of Law,
11 Inculpable mindstate by Conspiracy, Condonation,
12 evil, Malicious, Invidious discriminatory;
13 Intent to deprive his Nevada, Federal 1st 5th 8th,
14 9th 10th Amendments.

15 (18) C/O MILKHE acting under color of Law In,
16 Culpable mindstate by Invidious, Malicious, Evil,
17 Condonation, Conspiracy To deprive his;
18 Nevada and Federal 1st 5th 8th 9th 10th Amendments,

19 (19) Macelean KLEER acting under color of Law,
20 Inculpable mindstate by Conspiracy, Invidious,
21 Evil, Malicious Intent to deprive his Nevada,
22 Federal 1st, 5th 8th 9th 10th Amendments.

23 (20) PROVIDER J. HICKS acting under color of Law,
24 Inculpable mindstate by Conspiracy, Invidious,
25 evil, malicious discrimination to deprive his;
26 Nevada and Federal 1st 8th 9th 10th 14th Amendments.

27 (21) S/C/O ROWLEY acting under color of Law,
28 Inculpable mindstate by Invidious, Malicious;
(15)

1 condonation, discriminate depriving his Nevada,
2 Federal 1st 5th 8th 14th Amendments.

3 (22) CERT M. Dickens acting under color of,
4 law in culpable mind state by Condonation, retali-
5 ation, Conspiracy, Evil, malicious discrimination;
6 depriving his Nevada, Federal 1st 5th 9th 10th Amendments.

7 (23) SR C/O Rengali acting under color of law,
8 in culpable mind state by Conspiracy, malicious,
9 Invidious, Evil, discrimination depriving his;
10 Nevada and Federal 1st 5th 9th 10th Amendments.

11 (24) Chet Ridgney acting under color of law,
12 in culpable mind state by Invidious, Evil, malicious,
13 discriminatory intent to deprive his Nevada and,
14 Federal 1st 5th 9th 10th Amendments.

15 (25) SR C/O Rowley acting under color of law,
16 in culpable mind state by Evil, malicious,
17 retaliation, discrimination to deprive his;
18 Nevada and Federal 1st 5th 8th 9th 10th 14th,
19 Amendments.

20 (26) CCS III P. Hernandez in culpable mind state,
21 acting under color of law by Condonation, Evil,
22 Invidious, tacit authorization, discriminate,
23 depriving his 1st 5th 8th 9th 10th 14th Amendments.

24 (27) CCS Riveria acting under color of law in,
25 culpable mind state by Conspiracy, Invidious,
26 Evil, malicious discrimination to deprive his;
27 Nevada and Federal 1st 5th 8th 9th 10th 14th Amendments.

28 (28) C/O mil Khe acting under color of law in,
(K)

1 culpable mindstate by Evil, malicious, retaliation,
 2 Invidious discrimination to deprive his Nevada,
 3 Federal 1st 5th 6th 8th 9th 10th 14th Amendments,
 4 (29) Sgt Stolk acting under color of law in,
 5 culpable mindstate by Condonation, Invidious,
 6 tacit authorization, evil, malicious intent;
 7 to deprive his Nevada and Federal 1st 5th 6th,
 8 8th 9th 10th 14th Amendments.

9 (30) Kristina Hymen psychill acting under,
 10 color of law in culpable mindstate by Evil,
 11 Invidious, Condonation, tacit authorization,
 12 discriminate depriving his Nevada, Federal)
 13 1st 5th 8th 9th 10th 14th Amendments,

14 (31) L.T Roman acting under color of law,
 15 In culpable mindstate by Condonation, Evil,
 16 Malicious, Invidious discrimination to deprive;
 17 his Nevada and Federal 1st 5th 8th 9th 10th 14th,
 18 Amendments.

19 (32) A.W.P T.S COOKE acting under color of,
 20 Law in culpable mindstate by Tacit authorization,
 21 Condonation, Invidious, Evil Intent to deprive;
 22 his Nevada and Federal 1st 5th 8th 9th 10th 14th Amendments.

23 (33) D. Drummond acting under color of law,
 24 In culpable mindstate by tacit authorization,
 25 Condonation, Invidious Intent to deprive,
 26 his Nevada and Federal 1st 5th 8th 9th 10th 14th,
 27 Amendments

28 (34) William Ruebart acting under color ,
 (17)

1 of law in culpable mind state by tacit cond,
2 onation, Invidious discrimination to deprive;
3 his 1st 5th 8th 9th 10th 14th Amends.

4 (35) plaintiff has suffered intentional
5 infliction of emotional duress, anguish,
6 Exacerbation of physical bodily impairment,
7 irreparable Intestinal damage Infection of,
8 blood, unbearable psych Scarring neurological,
9 damage, Intimidation, Starvation, Threats,
10 loss of Legal Civil, Habeas corpus documents.

11 (36) plaintiff has no plain, adequate or,
12 complete remedy at law to redress the wrongs;
13 described herein. plaintiff has been and,
14 will continue to be irreparable injured by the;
15 conduct of the defendants unless this court,
16 grants declaratory and Injunctive Relief.

17 (37) • PRAYER FOR Relief:

18 WHEREFORE, plaintiff respectfully prays,
19 This court enter Judgment as follows:

20 (38) Granting plaintiff a declaration That
21 All acts, omits herein violated his Nevada,
22 constitutional rights; and

23 (39) Granting plaintiff \$50,000 Compensatory,
24 damages from defts as whole; and

25 (40) Granting plaintiff nominal damages,
26 In Amount of \$10,000 From ea. deft. Severally;

27 (41) Granting plaintiff punitive damages,
28 off \$10,000 jointly, Severally against ea. deft.,
(18)

1 (42) Granting A preliminary permanent,
 2 Injunction ordering debts as follows:

3 (a)

4 Cease-desist All retaliatory, Intimidative,
 5 Harassive, dept. Adverse acts of Retaliation;
 6 against him, and

7 (b) Additional Measures This Court may deem,
 8 proper, Just, equitable

9 (43) Plaintiff seeks a Jury Trial on All,

10 triable issues by Jury 28 U.S.C. 7th Amendments;

11 N.R.C. p. 38 (a)(b); and

12 (44) plaintiff seeks All Costs, Court Fees,

13 ndoc debts Incured as of Suit 42 U.S.C. 1988

14 (45) Any additional relief This Court deems,
 15 Just, equitable.

16

17 Respectfully Submitted:

18 MR Kentrell D. WELCH # 1030777

19 Esp p.o. Box 1989

20 Elko, NV, 89301-1989.

21 /s/ Kentrell D. Welch

22 NRS 1985, 1643.

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AFFIRMATION PURSUANT TO NRS 239B.030

I, MR. Kentrell D. Welch, NDOC# 1030777,

CERTIFY THAT I AM THE UNDERSIGNED INDIVIDUAL AND THAT THE

ATTACHED DOCUMENT ENTITLED Initial 9/1983 Suit

Summons, Declaration, 1 FPS 6 mo. Financial Cert Documentation

DOES NOT CONTAIN THE SOCIAL SECURITY NUMBER OF ANY

PERSONS, UNDER THE PAINS AND PENALTIES OF PERJURY.

DATED THIS 12. DAY OF Dec., 20 22.

SIGNATURE: Kentrell D. Welch

INMATE PRINTED NAME: Kentrell D. Welch

INMATE NDOC # 1030777-

INMATE ADDRESS: ELY STATE PRISON
P. O. BOX 1989
ELY, NV 89301

(2xpgs) Witness List (5):

- 1 Inmate Winston Wygre Reed # 1238924
- 2 Inmate Zachary Harris # 1058112
- 3 Inmate Hadori Stall Worth # 1175408
- 4 Inmate Xia Bai # 1099896
- 5 Inmate Gregory Hamilton # 21147
- 6 Inmate Ackerman #
- 7 Inmate Mark Severns # 1170560
- 8 Inmate Jason MA He #
- 9 CCS III P. Hernandez
- 10 CCS I Ray Rivera
- 11 CCS II Melina Castro
- 12 T.N P J. Hicks
- 13 Sgt Stubbs
- 14 SR C/O Rengali
- 15 SR C/O Cory Rowley
- 16 Sgt Moskoff
- 17 Sgt STOLK
- 18 L.T Curtis Ridgney
- 19 C.E.R.T Macekian Kleer
- 20 C.E.R.T Madeline Pickens
- 21 C.E.R.T Cnet Ridgney
- 22 C/O Richards
- 23 C/O Dancer
- 24 C/O D. Harry
- 25 SR C/O Williams
- 26 Inmate Rohas
- 27 Inmate Simion
- 28 L.T Matthew Roman

cont →

- 1 C.E.R.T SRC/o Brown
- 2 C.E.R.T c/o Kirkland
- 3 SRC/o Noriega
- 4 c/o Andrew S.
- 5 CN II Jamie Cicaliano H.I.C Records stuff.
- 6 Id at Grievance Records, dept. Files.
- 7 Id at NDOC Electronic Notis Files, Records.
- 8 Id at All DOC 3012 Kites, Pleadings.
- 9 Id at All Existing Affidavits, documentation.

10

- 11 All Inclusive Similarly Housed Inmates,
- 12 staff, officers et al. Has direct pertinent,
- 13 Knowledge of All claims herein. And will,
- 14 Comply with courts, proposed investigation,
- 15 Court orders per Subpoena's.

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